

**UNITED STATES COURT OF APPEAL FOR THE
DISTRICT OF COLUMBIA CIRCUIT**

NATIONAL ASSOCIATION OF REGULATORY)	
UTILITY COMMISSIONERS,)	NO. 97-1292
)	
Petitioner,)	
)	
v.)	
)	
FEDERAL ENERGY REGULATORY)	
COMMISSION,)	
)	
Respondent.)	
)	

**MOTION OF IDAHO PUBLIC UTILITIES COMMISSION
FOR LEAVE TO INTERVENE**

Pursuant to Rule 15(d) of the Federal Rules of Appellate Procedure, the Idaho Public Utilities Commission (IPUC) hereby respectfully moves for leave to intervene in the above captioned proceeding. In support of this Motion, the IPUC states as follows:

1. The IPUC is the state agency empowered under Titles 61 and 62 of the Idaho Code with the general regulation and jurisdiction over all public utilities operating in the state of Idaho.

2. The above Petitioner (National Association of Regulatory Utility Commissioners) has petitioned for review of the following orders of the Federal Energy Regulatory Commission:

- (1) Promoting wholesale competition through open access non-discriminatory transmission services by public utilities and transmission utilities, Order No. 888, 61 Fed.Reg. 21,540 (May 10, 1996), FERC Stats. & Regs. & 31,036 (1996), and;

- (2) Promoting wholesale competition through open access non-discriminatory transmission services by public utilities and recovery of stranded costs by public utilities and transmission utilities, Order No. 888-A, (Order on rehearing), 62 Fed.Reg. 12,274 (March 14, 1997), FERC Stats. & Regs. & 30,048 (1997).

3. The orders of the Federal Energy Regulatory Commission that are the subject of this appeal, among other things, established national rules for open access to bulk electric power transmission facilities. As the regulatory agency charged with the oversight of public utilities operating in the state of Idaho, the IPUC has a direct and substantial interest in any action this court may take with respect to these orders. The IPUC's interest, however, cannot be adequately represented by any other party to these proceedings.

4. The IPUC therefore requests that this court grant its Motion to Intervene in the above captioned proceeding and that it be treated as a party, with all rights appropriate to that status.

RESPECTFULLY submitted this day of May 1997.

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CERTIFICATION OF SERVICE

Pursuant to Rule 25 of the Federal Rules of Appellate Procedure, I hereby certify that I have this day served the foregoing upon the Respondent, Federal Energy Regulatory Commission, and the Petitioner, National Association of Regulatory Utility Commissioners, by depositing copies thereof in the United States mail, first class, postage prepaid.

**Chuck Gray
National Association of Regulatory Utility Commissioners
1100 Pennsylvania Avenue NW, Suite 603
PO Box 684
Washington, DC 20044-0684**

**Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426**

DATED at Boise, Idaho this _____ day of May 1997.

**Donald L. Howell, II
Deputy Attorney General
Idaho Public Utilities Commission**

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